

CITY OF TALLAHASSEE

CITY COMMISSION AGENDA ITEM

ACTION REQUESTED ON: Introduction of Ordinance #03-O-35 Brookstone/Sharer Road
Voluntary Annexation
SUBJECT/TITLE: June 25, 2003
TARGET ISSUE: N/A

STATEMENT OF ISSUE

The owner of a parcel (Tax ID #2114204120000) containing approximately 17 acres, located to the west of Sharer Road and south of I-10, has petitioned for annexation into the City. This parcel is currently undeveloped but the applicant intends to construct multi-family residential units on the property.

The City Attorney has determined that the area fully qualifies under the statutory requirements of Florida Statutes, Chapter 171.

A copy of the proposed annexation was provided to the Leon County Board of Commissioners at the time that it was distributed to the City Commission.

RECOMMENDED ACTION

Option 1: Introduce Voluntary Annexation Ordinance # 03-O-35 Brookstone/Sharer Road and set public hearing date for July 9, 2003.

FISCAL IMPACT

Based on the current property tax rate of 3.2 mills, this property would have generated \$611 in tax revenues in 2002.

Dinah Hart
Administrative Services Manager/DMA

Anita R. Favors
City Manager

For Information, please contact: Dinah Hart, ext. 8209

ITEM TITLE: Introduction of Ordinance #03-O-35 Brookstone/Sharer Road Voluntary Annexation

SUPPLEMENTAL MATERIAL/ISSUE ANALYSIS

HISTORY/FACTS & ISSUES

The owner of a parcel (Tax ID #2114204120000) containing approximately 17 acres, located south of I-10 between Sharer Road and Lakeshore Drive, has petitioned for annexation into the City. This parcel is currently undeveloped but the applicant intends to construct family-oriented, income-qualified multi-family residential units on the property. The property is within the Urban Services Area. Approval of the annexation would support the Annexation Goals as identified in the Comprehensive Plan and the annexation strategy adopted by the City Commission.

STATEMENT OF URBAN SERVICES

I. Introduction

The purpose of this statement is to provide information on the land use compatibility and level of urban services that will be provided to the proposed Brookstone/Sharer Road annexation.

II. Land Use

The area proposed for annexation consists of approximately 17 acres and is located within the Urban Services Area (USA). According to the Planning Department, the property is located in the Mixed Use A future land use category on the Future Land Use Map. The Official Zoning map indicates that the current zoning is OR-3 (Office Residential) and R-3 (Residential). Pre-application materials received by the Planning Department indicate that multi-family development is being proposed on this parcel and a rezoning to the MR-1 district or PUD is necessary to establish the appropriate development standards. Leon County Property Appraiser's Records show no structures on site.

Planning staff has reviewed the proposed annexation (Tax ID number 21-14-20-412-0000). The information required in Intergovernmental Element Policy 2.1.4 was not supplied to the Planning Department for their review. The Department could find the proposal consistent with the Comprehensive Plan, subject to the following provisions being met:

- The annexation is in accordance with the requirements of Chapter 172, Florida Statutes as set forth in Policy 2.1.4[I].
- The plan for annexation shall be provided by the City Manager to the County Administrator and the Board of County Commissioners at the time it is provided to the City Commission. All procedures for review and comment on the annexation as set forth in Policy 2.1.4[I] shall be followed.
- The City shall provide information as to how it will provide full urban services to the area to be annexed pursuant to Policy 2.1.1 {I}.
- A description of how land use compatibility will be ensured, pursuant to Policy 2.1.4(a)[I].

- A description of how facilities will be provided and by which entity, pursuant to Policy 2.1.4(b)[I].
- A description of how the level of service standards will be maintained consistent with the Comprehensive Plan, pursuant to Policy 2.1.4 (c)[I].
- The amount of any agreed upon water and/or sewer rebate that will be due to the petitioner, pursuant to Policy 2.1.4(d)[I].

The following is provided as additional information related to this site:

- This property is within the Mixed Use A Future Land Use Category.
- The subject property is zoned both Office Residential (OR-3) and Residential 3 (R-3). The OR-3 zoning allows various uses that include up to 20 dwelling units per acre, banks, daycare, hotels, medical offices, multi-family uses and others. The R-3 district allows residential use up to 8 dwelling units per acre. This includes single family attached and detached units, and duplexes and zero lot line units.
- The applicant intends to construct a multi-family development within the subject property with access to Sharer Road through the portion of the property zoned R-3. Current land development regulations preclude any component of multi-family development (including vehicular and pedestrian access) from being constructed within areas not zoned for the intended use/s. The R-3 district does not permit multi-family development and as such will require a rezoning to a district that permits the intended use. Staff has identified the following potential districts: OR-3, R-4 and MR-1.
- The applicant has suggested he intends to rezone to PUD (Planned Unit Development) when the property is annexed. This zoning change may be an option provided the PUD adequately addresses the access issue and the issues related to the existing adjoining single-family residential uses.

This property is in the Lake Jackson drainage basin and is within the Meginnis Arm Watershed. This property drains into Lake Jackson, which is designated as an Outstanding Florida Water (OFW).

Concurrency

In relation to concurrency, Sharer Road is currently deficient—however, the pm peak hour peak direction is southbound which is opposite the primary flow to the property during the pm peak hour.

Status of Permits

No permits have been issued to date. The owner intends to request authorization from the County to initiate the rezoning process prior to annexation.

III. Urban Services

The level of urban services that may be provided to the area proposed for annexation will be consistent with the level provided to areas within the City.

- A. Fire Protection Service – The City provides fire protection on an area wide basis. In the corporate limits, the fire department responds to alarms within an average of four (4) minutes. Fire Station #2 at 2805 Sharer Road can provide fire and emergency services to this area.

- B. Growth Management - The applicant has expressed an interest in having a driveway access through property currently zoned R-3 which will not meet the code requirements. We are unable to comment on the environmental issues as the applicant has not turned in a Natural Features Inventory as yet for us to determine whether any issues are present.
- C. Police Protection Service – Tallahassee maintains a comprehensive law enforcement program. The full range of these services will be provided to the area upon annexation.
- D. Street Maintenance and Right of Way Service – The City will assume responsibility for maintaining city-owned streets upon annexation. Since the area is undeveloped, streets will be constructed to City standards.
- E. Traffic Planning and Control – The maintenance of street signs, pavement markings, and traffic signals on city-owned streets will be assumed by the City upon annexation. Public Works staff notes that if this property develops in the future, they will prefer that this property accesses Sharer Road north of Fulton Road. A proposed access to be aligned with Fulton Road could have potential sight distance issues.
- F. Street Lighting – *Tallahassee has a comprehensive program for the installation and maintenance of streetlights. Since this area is presently undeveloped, there will be no immediate cost for street lighting.*
- G. Parks and Recreation Services – The City provides a comprehensive Parks and Recreation program and system of parks for its citizens. The closest park to the proposed annexation area would be Macon Community Park, a 12 acre facility on Grady Road. It has both active and passive elements. The Trousdell Gymnastics and Aquatics Center is also relatively close to this site.
- H. Bus Service – The City owns and operates a public transit system. Annually, a system-wide analysis is performed to evaluate bus service within all areas of the corporate limits. The closest bus stop to this location is the intersection of Allen Road and Fulton Road, approximately one block. Taltran would be required to serve this site with DAR even if the area was not annexed because of its proximity to an existing bus route. However, the impact to DAR could be increased ridership from this development.
- I. Electric Service – The City currently provides electric service to this area. Extension of electric service to new customers in the area will be in accordance with established policy and other utility agreements.
- J. Water and Sewer Service – This project will require some off site easements for connection to sewer. Water and sewer capacity exist to serve this development. The on site water and sewer will be eligible for refunding at \$1200/erc (equivalent residential connect) for sewer and \$600/erc for water. The cost of the off site sewer (approximately \$50,000) would be eligible for lump sum refunding, from City MLE money. It would be a 2004 project and there will be money available starting in October.
- K. Gas Service – *The City generally provides natural gas to a site when requested and after a feasibility analysis.*

L. Stormwater Service – Stormwater services to the area will be provided at the same level as currently provided to areas within the City.

M. Solid Waste Service – Solid waste collection and disposal services will be provided by the City upon annexation.

OPTIONS

Option 1 – Introduce Voluntary Annexation Ordinance # 03-O-35 Brookstone/Sharer Road and set public hearing date for July 9, 2003.

Option 2 – Set another date for public hearing.

Option 3 – Do not proceed with the proposed voluntary annexation.

RECOMMENDATION

Option 1: Introduce Voluntary Annexation Ordinance # 03-O-35 Brookstone/Sharer Road and set public hearing date for July 9, 2003.

ATTACHMENTS/REFERENCES

Attachment 1 – Ordinance #03-O-35

Attachment 2 – Location Map

ORDINANCE NO. 03-O-35

AN ORDINANCE OF THE CITY OF TALLAHASSEE, FLORIDA, AMENDING CHAPTER SIX OF THE CHARTER OF THE CITY OF TALLAHASSEE, TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF TALLAHASSEE, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY BEING SITUATED IN LEON COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, there has been filed with the City of Tallahassee, Florida, a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Tallahassee, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Tallahassee, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and,

FURTHER WHEREAS, the City of Tallahassee, Florida, is in a position to provide municipal services to the property described herein, and that the City Commission of the City of Tallahassee, Florida, deems it in the best interest of the City to accept said petition and to annex said property.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF TALLAHASSEE, FLORIDA:

Section 1. That the property described below, situated in Leon County, Florida, be and the same is hereby annexed to and made a part of the City of Tallahassee, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes, to wit:

BROOKSTONE AT SHARER ROAD

COMMENCE at the intersection of the west line of the Southeast Quarter of Section 14, Township 1 North, Range 1 West, Leon County, Florida and the southerly right-of-way boundary line of Interstate Highway 10; thence, along said southerly right-of-way boundary line, North 71 degrees 59 minutes 04 seconds East 260.76 feet; thence, continuing along said right-of-way boundary line and along the easterly boundary of that parcel described in Official Record Book 2446, Page 2222 (Tax I.D. 21-14-20-415) of said Public Records as follows: North 89 degrees 59 minutes 58 seconds East 32.16 feet to a point of curve concave to the easterly having a radius of 602.96 feet; thence Southwesterly, along the arc of said curve through a central angle of 06 degrees 54 minutes 31 seconds for 72.70 feet (said arc subtended by a chord bearing South 14 degrees 52 minutes 43 seconds West 72.66 feet); thence South 11 degrees 14 minutes 55 seconds West 131.93 feet to the southeast corner of said parcel above referenced; thence South 89 degrees 59 minutes 58 seconds West 4.26 feet to the northeast corner of that parcel described in Official Record Book 2400, Page 1341 (Tax I.D. 21-14-20-417) of said Public Records; thence, along the easterly boundary of said parcel last referenced, also being the westerly right-of-way boundary of Lakeshore Drive as follows; South 04 degrees 40 minutes 19 seconds East 200.04 feet; thence South 28 degrees 26 minutes 53 seconds East 35.16 feet to the southeast corner of said parcel last referenced; thence, along the south boundary of said parcel last referenced 228.27 feet to the southwest corner of said parcel last referenced; thence, along said West line of the Southeast Quarter of Section 14, South 511 feet, more or less, to the westerly extension of the northerly boundary line of property of Glover E. Tully as per deed recorded in Deed Book 101, Page 137 of the Public Records of Leon County, Florida, thence run East, along said Northerly boundary line of said Tully property and its westerly extension, 1320 feet; thence South 00 degrees 06 minutes 14 seconds West, along the westerly boundary line of the property of Florida Title and Guaranty Company as per deed recorded in Official Record Book 575, Page 770 of the Public Records of Leon County, Florida, a distance of 18.21 feet, more or less to an intersection with the northerly boundary line of that parcel identified as Tax I.D. 21-14-16-C0001 lying on a curve concave to the northwesterly; thence, along said northerly boundary line of said last parcel referenced and said curve with a radius of 130.00 feet through a central angle of 30 degrees 00 minutes 00 seconds for an arc distance of 67.29 feet; thence North 60 degrees 06 minutes 14 seconds East 262.45 feet to a point of curve to the right; thence along said curve with a radius of 1,136.58 feet through a central angle of 04 degrees 48 minutes 55 seconds for an arc distance of 95.52 feet to the southwest corner of that parcel identified as Tax I.D. parcel 21-14-20-412 for the **POINT OF BEGINNING**. From said **POINT OF BEGINNING** thence, along the westerly boundary line of said last parcel referenced, North 12 degrees 04 minutes 28 seconds West 1,410.06 feet to an intersection with the southerly right-of-way boundary line of Interstate 10; thence, along said southerly right-of-way boundary line the following two (2) courses: North 70

degrees 04 minutes 39 seconds East 172.46 feet to a point; thence , North 77 degrees 46 minutes 42 seconds East 76.23 feet to an intersection with the southerly boundary line of that property identified as Tax I.D. parcel 21-14-20-045; thence, along said southerly boundary line, North 89 degrees 51 minutes 15 seconds East 380 feet, more or less, to the southeast corner of said last described parcel; thence, along the easterly boundary line of said parcel identified as Tax I.D. 21-14-20-412, South 00 degrees 50 minutes 51 seconds East 701.18 feet to the southwest corner of that parcel identified as Tax I.D. 21-14-20-432; thence, along the southerly boundary line of said last referenced parcel and a easterly projection thereof, North 89 degrees 50 minutes 08 seconds East 339.75 feet, crossing Sharer Road, to an intersection with the easterly right-of-way boundary line of said Sharer Road; thence, along said easterly right-of-way boundary line, South 00 degrees 49 minutes 12 seconds East 155.44 feet to an intersection with the easterly projection of the southerly boundary line of that parcel described in Official Record Book 2205, Page 1105 (Tax I.D. 21-14-20-412); thence North 89 degrees 45 minutes 22 seconds West, along an easterly projection of the southerly boundary line of said last referenced parcel, crossing said Sharer Road, and continuing along said southerly boundary line, a distance of 339.67 feet to the southwest corner of that parcel last referenced; thence, along the westerly boundary lines of thoses parcels identified as Tax I.D. 21-14-20-408; Tax I.D. 21-14-20-428; and Tax I.D. 21-14-20-407, South 00 degrees 50 minutes 51 seconds East 459.73 feet to the southwest corner of said parcel identified as Tax I.D. 21-14-20-407; thence, along the southerly boundary line of said last identified parcel and crossing Sharer Road on an easterly projection thereof, North 89 degrees 10 minutes 18 seconds East 338.89 feet to an intersection with the easterly right-of-way boundary line of said Sharer Road; thence, along said easterly right-of-way boundary line, South 00 degrees 42 minutes 36 seconds East 60 feet; thence, leaving said easterly right-of-way boundary line along an easterly projection of the northerly boundary line of that parcel identified as Tax I.D. 21-14-16-C0001, South 89 degrees 10 minutes 43 seconds West 60 feet; thence, along the northerly boundary line of said last parcel referenced the following three courses: South 89 degrees 10 minutes 43 seconds 315.99 feet to a point of curve to the left having a radius of 70.00 feet; thence Southwesterly along said curve through a central angle of 10 degrees 02 minutes 55 seconds for an arc length of 12.28 feet (the chord of said curve bears South 84 degrees 22 minutes 03 seconds West for 12.26 feet) to a point of compound curve having a radius of 1,136.58 feet; thence Southwesterly along said curve through a central angle of 15 degrees 11 minutes 05 seconds for an arc length of 301.22 feet (the chord of said curve bears South 71 degrees 32 minutes 38 seconds West for 300.34 feet) to the **POINT OF BEGINNING**; containing 16.83 acres, more or less.

Section 2. That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights and privileges and immunities as are from time to time granted to residents and property owners of the City of Tallahassee, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be

subject to the responsibilities of residence or ownership as may from time to time be determined by the governing authority of the City of Tallahassee, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3. If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4. That all ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

Section 5. That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED in the City Commission on the ____ day of _____ 2003

PASSED the City Commission on the _____ day of _____, 2003

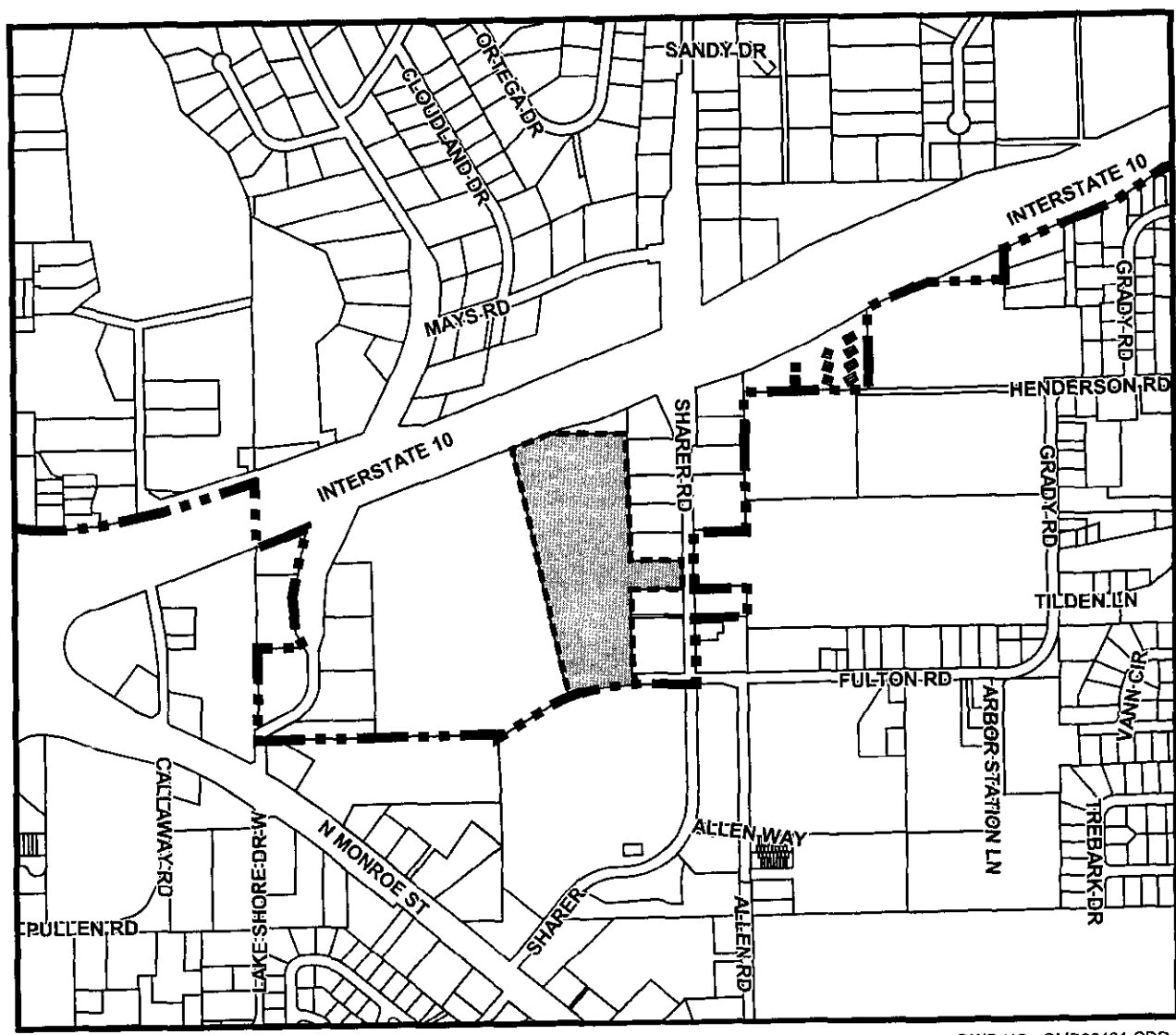
JOHN R. MARKS III, Mayor

ATTEST:

GARY HERNDON
City Treasurer-Clerk

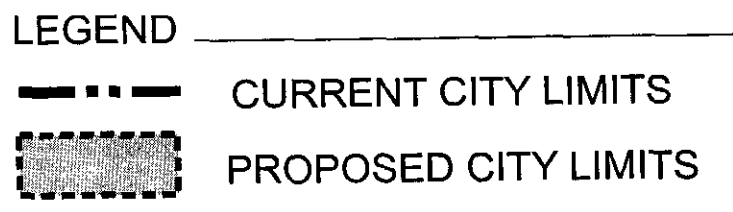
APPROVED AS TO FORM:

JAMES R. ENGLISH
City Attorney



DWG NO. OMB00121.CDR

BROOKSTONE/SHARER RD. PROPOSED ANNEXATION



TALLAHASSEE - LEON COUNTY PLANNING DEPARTMENT